

REMARKS

The Office Action mailed on September 6, 2006 has been carefully considered. Accordingly, the changes presented herewith, taken with following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

Claims 1-23 are currently pending in the instant application. Claims 1, 2, 9-12, 16, and 18-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 93/05733 ("Hanna"). Claims 1-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by USPN 6,599,317 ("Weinschenk"). Applicants respectfully traverse these rejections, as discussed in further detail below.

The undersigned wishes to thank the Examiner for the telephonic interview held on November 29, 2006 to discuss the merits of the present case. During the interview, the undersigned pointed out that various elements of the claimed invention not taught by either Hanna or Weinschenk. The details of these arguments are summarized in the response below.

Claims 1, 2, 9-12, 16, and 18-19 Are Not Anticipated by Hanna

Claims 1, 2, 9-12, 16, and 18-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 93/05733 ("Hanna"). Applicants traverse this rejection for the following reasons.

As discussed in the telephonic interview of November 29, Hanna does not teach an optic connected to a positioning member in a location between anterior and posterior segments in a direction along a central polar axis, as recited in pending independent claim 16. Rather, Hanna teaches an optical zone 6 connected to a peripheral means (comprising elements 5, 7, and 8, as seen Figure 1) by a dome 7. This construction is clearly illustrated in Figure 1, which shows the optical zone 6 connected to the peripheral means at a distal end of the dome 7 along the minor axis 2.

Applicants' claim 1 is directed to an intraocular lens comprising, in pertinent part, a positioning member comprising a main body including anterior and posterior segments, an optic being connected to the positioning member in a location central to the anterior and posterior segments, the optic being disposed between the anterior and posterior segments. By contrast, Hanna in general teaches an optical zone 6 is connected to the peripheral means (comprising elements 5, 7, and 8) at a distal end by the dome 7.

Hanna does not teach or suggest an optic being connected to a positioning member in a location central to anterior and posterior segments (either in longitudinal or transverse directions). Rather, as seen in Figure 1 of Hanna, the optic zone 6 is connected to the peripheral means at one end thereof by the dome 7 in the longitudinal direction (i.e., along a minor axis 2). In the transverse direction, the optic zone 6 is seen in Figures 1, 3, and 4 is seen to be connected to a circular edge of the peripheral means.

Furthermore, Hanna does not teach an optic disposed between anterior and posterior segments, as recited in claim 1 (where the Merriam-Webster's Online Dictionary, for example, defines "between" as, "(a) in the time, space, or interval that separates (b) in intermediate relation to"). To the contrary, referring again to Figure 1 of Hanna, the optical zone 6 is disposed at one end of a peripheral means comprising elements 5, 7, and 8.

At least because Hanna does not teach or suggest all of the limitations of independent claims 1 or 16, Applicant requests the Examiner allow claims 1 and 16. Claims 2, 9-12, and 18-19 depend from claims 1 or 16 and further define the inventions of claims 1 and 16. Thus, claims 2, 9-12, and 18-19 are patentable over Hanna at least for the same reasons that claims 1 and 16 are patentable thereover, and are patentable in their own right as well.

Claims 1-23 Are Not Anticipated by Weinschenk

Claims 1, 2, 9-12, 16, and 18-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 93/05733 ("Weinschenk"). Applicants traverse this rejection for the following reasons.

Weinschenk teaches an intraocular lens comprising a force transfer assembly 70 that includes four identically structured transfer members 72 which extend radially outwardly from the proximal end 74, which is attached to optic 112, to an outer or distal end 76. Weinschenk, column 10, lines 3-7. As discussed during the interview of November 29, 2006, Weinschenk does not teach several elements recited of the invention as claimed.

For example, Applicants' independent claim 1 is directed to an intraocular lens comprising, in pertinent part, a positioning member comprising anterior and posterior segments and an optic connected to the positioning member in a location central to the anterior and posterior segments, the optic being disposed between said anterior and posterior segments. As noted in the interview, the element 152 shown in FIG. 5 (and cited by the Examiner) is the inner posterior wall 152 of a

capsular bag 150 (Weinschenk, column 10, lines 46-47). Thus, Weinschenk fails to teach or suggest an optic connected to a positioning member in a location central to anterior and posterior segments. Weinschenk also fails to teach or suggest an optic disposed between anterior and posterior segments.

Independent claim 16 is directed to an intraocular lens comprising, in pertinent part, a positioning member comprising a main body including anterior and posterior segments, the optic being connected to the positioning member in a location between the anterior and posterior segments in a direction along said central polar axis. Weinschenk fails to teach or suggest an optic connected to a positioning member in a location between anterior and posterior segments in a direction along said central polar axis.

Independent claim 20 is directed to an intraocular lens comprising, in pertinent part, a positioning element comprising a plurality of circumferentially spaced-apart, haptic arms and a plurality of circumferentially spaced-apart, arcuate in cross-section, positioning legs, the legs being joined with the optic via the haptic arms at a bight. Weinschenk fails to teach or suggest positioning element comprising a plurality of circumferentially spaced-apart, arcuate in cross-section, positioning legs. Weinschenk also fails to teach or suggest positioning a plurality of legs that are joined with an optic via a plurality of haptic arms at a bight.

At least because Weinschenk does not teach or suggest all of the limitations of independent claims 1, 16, or 20, Applicant requests the Examiner allow claims 1, 16, and 20. Claims 2-15, 17-19, and 21-23 depend from claims 1, 16, or 20 and further define the inventions of claims 1, 16, and 20. Thus, claims 2-15, 17-19, and 21-23 are patentable over Weinschenk at least for the same reasons that claims 1, 16, and 20 are patentable thereover, and are patentable in their own right as well.

CONCLUSION

Applicant respectfully asserts that the claims now pending are allowable over the prior art. Therefore, Applicant earnestly seeks a notice of allowance and prompt issuance of this application.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 502317.

Respectfully submitted,
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